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*Skyryse, Inc.*

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

MOOG INC.,

Plaintiff,

v

SKYRYSE, INC., ROBERT ALIN  
PILKINGTON, MISOOK KIM, and  
DOES NOS. 1-50,

Defendants.

SKYRYSE, INC.,

Counterclaimant,

v

MOOG INC.,

Counterclaim-Defendant.

CASE NO. 2:22-cv-09094-GW-MAR

**DEFENDANT-COUNTERCLAIMANT  
SKYRYSE, INC.'S APPLICATION  
FOR LEAVE TO FILE UNDER SEAL  
CERTAIN PORTIONS OF SKYRYSE,  
INC.'S OPPOSITION TO MOOG'S  
MOTION TO DISMISS COUNTS 1  
THROUGH 9**

Judge: Hon. George H. Wu



**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

PLEASE TAKE NOTICE that, pursuant to Local Rule 79-5.2.2, Defendant and Counterclaimant Skyryse, Inc. (“Skyryse”) hereby applies for an order permitting certain portions of Skyryse’s Opposition to Moog’s Motion to Dismiss Counts 1 Through 9 (“Opposition”) to be filed under seal with the Court.

Document	Designating Party	Text to be Filed/Lodged under Seal
Skyryse’s Opposition to Moog’s Motion to Dismiss Counts 1 Through 9	Skyryse	Highlighted portions in the unredacted version at pages 2:24, 3:1-2, 3:4-8, 3:10-11, 7:3, 14:14-16, 16:2-3, 16:7, 16:19, 20:2, 20:9-11, 20:23, 25:18
Skyryse’s Opposition to Moog’s Motion to Dismiss Counts 1 Through 9	Moog	Highlighted portions in the unredacted version at pages 19:8-9, 21:16-19, 22:20-21, 24:18, 25:16, 27:4-9, 27:17

The material Skyryse requests to file under seal is material that the Court previously ordered to be sealed in connection with Skyryse’s Answer, Defenses, and Counterclaims. (Dkt. 353.) As Skyryse previously explained in connection with its Application for Leave to File Under Seal Documents Filed with Skyryse’s Answer, Defenses, and Counterclaims (Dkt. 348), the material Skyryse requests to file under seal is the type of information that Skyryse does not make public, does not share with competitors, and keeps confidential in its business. If disclosed publicly, it could be used by Skyryse’s competitors to secure unfair competitive advantage against Skyryse and cause irreparable business harm. The material Skyryse seeks to file under seal includes certain portions of the Opposition, which contain Skyryse’s confidential information regarding its business plans and strategies, development roadmaps, confidential contract terms, trade secrets, and other confidential business



1 and technical information. Skyryse has proposed narrowly-tailored redactions to the  
 2 Opposition and requests that the Court grant this application to file under seal the  
 3 redacted portions.

4 Skyryse also has provisionally lodged under seal certain portions of its  
 5 Opposition that refer to, describe, or quote documents that Plaintiff and  
 6 Counterclaim-Defendant Moog, Inc. has designated as Protected Material under the  
 7 Protective Order entered in this action, dated May 6, 2022 (Dkt. 89), or that Skyryse  
 8 believes may be considered confidential information by Moog. Accordingly,  
 9 pursuant to paragraph 12.1 of the Protective Order, Skyryse seeks to provisionally  
 10 lodge these materials under seal until such time as Moog withdraws its  
 11 confidentiality designations or the Court rules on a forthcoming application from  
 12 Moog to justify that these documents, or portions of thereof, remain under seal.

13 This application is further based upon the accompanying Declaration of  
 14 Arman Zahoory in Support of this Application; any pleadings, files, and records in  
 15 this action; and any further evidence or argument as this Court may consider.

16 On March 13, 2023 counsel for Skyryse conferred via email with counsel for  
 17 Moog regarding this Application and stated that Skyryse proposed to file under seal  
 18 portions of documents that Moog had previously requested to be sealed in  
 19 connection with Skyryse's Counterclaims (Dkts. 350, 355). On March 14, 2023  
 20 counsel for Moog informed Skyryse that with respect to the information sealed in  
 21 Skyryse's Counterclaims, "Moog's position has not changed."  
 22

23 Dated: March 16, 2023

Respectfully submitted,

24 LATHAM & WATKINS LLP

25 By: /s/ Gabriel S. Gross

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